

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Document #

**6**

HAMER

-v-

KNIGHT

U.S.C.A. #

U.S.D.C. # 07-cv-4434

JUDGE:

KMW

DATE:

JUNE 15, 2007

INDEX TO THE RECORD ON APPEAL

PREPARED BY (NAME):

THOMAS R. PISARCZYK

FIRM:

U.S. DISTRICT COURT - SOUTHERN DISTRICT OF NEW YORK

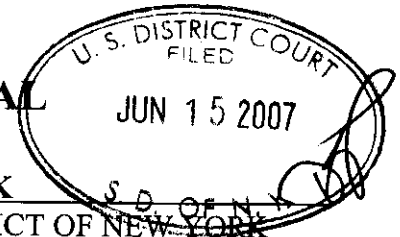
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DISTRICT COURT DOCKET ENTRIES

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CLERK'S CERTIFICATE

SEE ATTACHED LIST OF NUMBERED DOCUMENTS

☒ Original Record

☐ Supplemental Record

The record in the above entitled case was indexed to the U.S.C.A.  
for the Second Circuit on the 15TH Day of JUNE, 2007.

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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Homer  
-v-  
Knight  
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U.S.C.A. # \_\_\_\_\_  
U.S.D.C. # 07-cv-4434  
JUDGE: KMW  
DATE: June 15, 2007

**Clerk's Certificate**

I, J. Michael McMahon, Clerk of the Court of the United States District Court for the Southern District of New York, do hereby certify that the certified copy of the docket entries and the original filed papers numbered 1 Through 5, inclusive, constitutes the Original record on appeal in the above entitled proceedings except for the following missing documents:

<u>Date Filed</u>	<u>Document Description</u>
_____	_____
_____	_____
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In Testimony Whereof, I have caused the seal of said Court to be hereunto affixed, at the City of New York, this 15th Day of June In this year of our Lord, Two Thousand and Seven, and the Independence of the United States this 231<sup>ST</sup> year.

**J. Michael McMahon, Clerk**  
By [Signature]  
Deputy Clerk

APPEAL, CLOSED

**U.S. District Court**  
**United States District Court for the Southern District of New York (Foley Square)**  
**CIVIL DOCKET FOR CASE #: 1:07-cv-04434-KMW**  
**Internal Use Only**

Hamer v. Knight  
Assigned to: Judge Kimba M. Wood  
Cause: 42:1983 Civil Rights Act

Date Filed: 05/30/2007  
Date Terminated: 05/30/2007  
Jury Demand: None  
Nature of Suit: 550 Prisoner: Civil Rights  
Jurisdiction: Federal Question

Date Filed	#	Docket Text
05/30/2007	<u>1</u>	DECLARATION IN SUPPORT OF REQUEST TO PROCEED IN FORMA PAUPERIS. Document filed by Taft C. Hamer.(mbe) (Entered: 06/04/2007)
05/30/2007	<u>2</u>	COMPLAINT against R. Knight. Document filed by Taft C. Hamer.(mbe) (Entered: 06/04/2007)
05/30/2007		Magistrate Judge Andrew J. Peck is so designated. (mbe) (Entered: 06/04/2007)
05/30/2007	<u>3</u>	ORDER OF DISMISSAL Plaintiff's request to proceed in forma pauperis is granted but, for the reasons set forth below, the complaint is dismissed. According to this pro se complaint the close and sympathetic reading to which it is entitled, Haines v. Kerner, 404 U.S. 519, 520-21 (1972) (per curiam), plaintiff's allegation fail to state a claim 42 U.S.C.1983 upon which relief may be granted. Under 28 U.S.C. 1367(c)(3), the Court declines to exercise supplemental jurisdiction over any state law claims. The complaint is therefore dismissed. The court certifies pursuant to 28 U.S.C. 1915(a)(3) that any appeal from this order would not be taken in good faith. (Signed by Judge Kimba M. Wood on 5/30/2007) (mbe) (Entered: 06/04/2007)
05/30/2007	<u>4</u>	JUDGMENT. Ordered, Adjudged and Decreed: That the complaint be and is hereby dismissed. 28 U.S.C. 1915(e)(2). We certify pursuant to 28 U.S.C. 1915(a)(3) that any appeal from the Court's order will not be taken in good faith. (Signed by Judge Kimba M. Wood on 5/30/2007) (mbe) (Entered: 06/04/2007)
06/12/2007	<u>5</u>	NOTICE OF APPEAL from [4] Judgment - Sua Sponte (Complaint). Document filed by Taft C. Hamer. (tp) (Entered: 06/15/2007)
06/12/2007		Appeal Remark as to [5] Notice of Appeal filed by Taft C. Hamer. \$455.00 APPEAL FEE DUE. IFP REVOKED 5/30/07. (tp) (Entered: 06/15/2007)
06/15/2007		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: [5] Notice of Appeal. (tp) (Entered: 06/15/2007)
06/15/2007		Transmission of Notice of Appeal to the District Judge re: [5] Notice of Appeal. (tp) (Entered: 06/15/2007)